

STATE OF MARYLAND \* IN THE CIRCUIT COURT FOR  
vs. \* FREDERICK COUNTY, MARYLAND  
CHELSEA ELIZABETH PHOENIX \* CASE NO. C-10-CR-23-000608

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**STATE'S NOTICE OF INTENTION TO USE OUT OF COURT  
STATEMENTS OF CHILD ABUSE WITNESS AND REQUEST FOR HEARING**

The State of Maryland, by Lindsey M. Carpenter, Assistant State's Attorney for  
Frederick County, and pursuant to Criminal Procedure 11-304, states as follows:

A.

1. The State seeks to have the court admit into evidence in this proceeding out of court statements to prove the truth of the matters asserted therein, made by a child witness under the age of 13 years, who is the witness of child abuse.
2. The child victim is A.W. The events occurred on or about May 28, 2023, at which time the victim was under the age of 13 years.

B.

1. The statements were made to and are being offered by Meghan McGowan, a social worker, a person lawfully acting in the course of her profession when the statements were made.
2. The statements contained herein possess particularized guarantees of trustworthiness.
3. The child's statements are not admissible under any other hearsay exception.
4. This motion shall serve as the State's intention to introduce the contents of the following statements:
  - a) Those contained in the CAC interview, CPS report and notes of Meghan McGowan as sent in discovery on August 16, 2023.

WHEREFORE, the State respectfully requests that the above-captioned matter be set for hearing.



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 16th day of August, 2023, a copy of the foregoing State's Intent to Introduce Evidence was sent via MDEC and/or Sharefile, a secure file sharing service, to the designated e-mail address and/or service contact for Linda Zeit, Esquire, Attorney for the Defendant herein.



LINDSEY M. CARPENTER  
ASSISTANT STATE'S ATTORNEY